

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CIVIL CASE NO. 3:09cv16

DEBBIE P. THOMAS,)
)
Plaintiff,)
)
vs.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)
)

O R D E R

THIS MATTER is before the Court *sua sponte* to extend the time for effectuating service on the Defendant.

On January 13, 2009, the Plaintiff filed a Complaint against the Defendant Michael J. Astrue, Commissioner of Social Security. [Doc. 1]. The Plaintiff also filed an Application to Proceed Without Prepayment of Fees. [Doc. 2]. On January 14, 2009, the Court granted the Plaintiff's Application and directed the Clerk of Court to prepare process and deliver the same for service to the United States Marshals Service. [Doc. 4]. The

record indicates that the Clerk of Court forward a Summons to the United States Marshals Service on May 11, 2009. [Doc. 5].

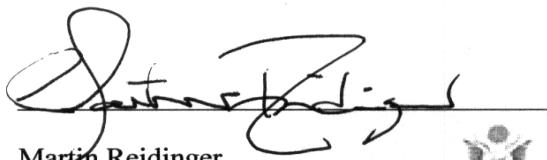
The 120-day period for effectuating service on the Defendant expired on May 13, 2009. See Fed. R. Civ. P. 4(m). Because the Summons was not forwarded to the United States Marshals Service until May 11, 2009, however, the Court finds that good cause exists for extending the time for service by a period of thirty (30) days.

Accordingly, **IT IS, THEREFORE, ORDERED** that the time for effectuating service on the Defendant is hereby **EXTENDED** to **June 15, 2009.**

IT IS FURTHER ORDERED that the Clerk of Court is **DIRECTED** to provide a copy of this Order to the United States Marshals Service.

IT IS SO ORDERED.

Signed: May 18, 2009



Martin Reidinger
United States District Judge

